

Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue NW
Washington, D.C. 20004
TEL: 202.739.3000
FAX: 202.739.3001
eFax: 877.432.9652
www.morganlewis.com

Morgan Lewis
COUNSELORS AT LAW

RECEIVED
CENTRAL FAX CENTER

OCT 07 2004

FAX MESSAGE

Send To:

Name: **CENTRAL FAX**

FAX Number: **703-872-9306**

Firm: **U.S. Patent Office**

Telephone Number:

From:

Name: **James L. Reed**
Sending:

Floor: **4** Operator

Telephone Number: **202.739.5772**

Time Sent:

Date Sent: **October 7, 2004**

Number of Pages (including cover page): **3**

Note: THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

**COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE
PLEASE DELIVER TO PUBLICATIONS BRANCH
APPLICATION NO. 09/671,350
ISSUE FEE PAID ON OCTOBER 5, 2004**

**U.S. Patent Application 09/671,350
Inventors: Robert D. EDWARDS et al.
Filed: September 27, 2000
Title: Method and Apparatus For Delivery Of Data Over A Network
Group Art Unit: 2153
Examiner: J. R. Brancolini
Attorney Docket: 052401-5001**

Dear Sir/Madam:

We paid the issue fee in the above case on October 5, 2004, however, Applicants' Comments on the Examiner's Reasons for Allowance were inadvertently not included with the Issue Fee Payment.

I called the Examiner to ask whether our Comments on Reasons for Allowance could still be added to the file. He indicated that the comments could be sent, but it would best to have them sent to the central fax number. Accordingly, we are enclosing our comments on the Examiner's Reasons for Allowance for U.S. Application No. 09/671,350. These comments should be placed in the file

**Sincerely,
James L. Reed
Reg. No. 43,877**

1-WA/2271547.1

Attorney Docket No: 052401-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert D. EDWARDS et al.

Application No.: 09/671,350

Filed: September 27, 2000

For: METHOD AND APPARATUS FOR
DELIVERY OF DATA OVER A
NETWORK

Examiner: J. R. Brancolini

Group Art Unit: 2153

Confirmation No.: 6553

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

In response to the Statement of Reasons for Allowance dated March 18, 2002, Applicants submit the following comments.

Applicants believe that the Reasons for Allowance indicate some, but not all of the reasons why the claims were allowed over the prior art. Additionally, Applicants reiterate that the dependent claims recite limitations which further distinguish over the art of record. Moreover, while Applicants believe that all of the claims are allowable and patentably distinguish over the prior art, Applicants do not acquiesce that patentability resides in each of the listed features, exactly as expressed in the claims, nor that each and every feature is required for patentability.

While Applicants do not necessarily disagree with the Examiner's characterization of the art of record, Applicants wish to point out that the limitation "means for . . . creating screen images" is by no means limited to software that creates "screen shots". This conclusion is readily apparent if one reads the claims in light of the prosecution history and specification,

I-WA/1763081.1

RECEIVED
CENTRAL FAX CENTER
OCT 07 2004

PATENT APPLICATION
Attorney Docket No.: 052401-5001
US. Patent Application No. 09/671,350

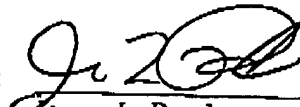
which provide, for example, an executable that is capable of producing three dimensional, user-definable images based on information contained in the files.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: October 7, 2004

By:



James L. Reed

Registration No. 43,877

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 739-3000

2271467_1.DOC
I-WA/1763081.1